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Attorneys for Defendants  
SAN FRANCISCO POLICE DEPARTMENT,  
CITY AND COUNTY OF SAN FRANCISCO,  
MAYOR GAVIN NEWSOM, IN HIS OFFICIAL  
CAPACITY, AND OFFICER LARRY BERTRAND

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MIKE QUAN, as an individual, and also  
as proprietor of PLAYBAR, INC., dba  
THE ROOM, and JAVIER MAGALLON,

Plaintiffs,

vs.

SAN FRANCISCO POLICE  
DEPARTMENT, CITY AND COUNTY  
OF SAN FRANCISCO, MAYOR GAVIN  
NEWSOM, OFFICER LARRY  
BERTRAND, CALIFORNIA  
DEPARTMENT OF ALCOHOL  
BEVERAGE CONTROL, STATE OF  
CALIFORNIA, OFFICER MICHELLE  
OTT, and DOES 1-100, inclusive,

Defendants.

Case No. CV-10-1835-MEJ

**STIPULATION AND ~~PROPOSED~~  
ORDER TO CONTINUE DEADLINES  
FOR MOTIONS TO COMPEL,  
EXPERT DISCLOSURES, AND  
INDEPENDENT PSYCHOLOGICAL  
EXAMINATIONS**

Date Action Filed: March 29, 2010  
Trial Date: September 19, 2011

The undersigned parties, through counsel and plaintiff in pro per, respectively, STIPULATE and AGREE and jointly request modification of the Court's Case Management Order of September 17, 2010 as follows:

1 Deadline for Motions to Compel: April 8, 2011 (from March 25, 2011)

2 Liability Expert Witness Disclosures: April 8, 2011 (from February 18, 2011)

3 Liability Rebuttal Expert Witness Disclosures: April 18, 2011 (from February 28, 2011)

4 Last Day for Plaintiffs To Participate In An Independent Psychological Examination: June  
5 2, 2011 (from March 15, 2011)

6 Damages Expert Witness Disclosures: June 23, 2011 (from February 18, 2011)

7 Damages Rebuttal Expert Witness Disclosures: July 5, 2011 (from February 28, 2011)

8 All other dates, including the trial date, will remain the same.

9 The parties make this request under the following circumstances:

10 On December 21, 2010, the Court granted plaintiffs' attorney Mark Webb's request to  
11 withdraw as counsel for plaintiffs. Since that time, very little has occurred in the above-captioned  
12 case. These minor scheduling modifications are requested to help get this case back on track.

13 The parties request continuations of the specified pretrial deadlines as set forth above.

14 There have been no other modifications to the Court's Case Management Order. No other  
15 dates, besides the aforementioned, will be affected by the requested changes.

**SIGNATURE PAGE TO STIPULATION AND [PROPOSED] ORDER TO CONTINUE  
DEADLINES FOR MOTIONS TO COMPEL, EXPERT DISCLOSURES, AND  
INDEPENDENT PSYCHOLOGICAL EXAMINATIONS**

Dated: April 8, 2011

DENNIS J. HERRERA  
City Attorney  
JOANNE HOEPER  
Chief Trial Deputy  
MARGARET W. BAUMGARTNER  
Deputy City Attorney  
ROBERT A. BONTA  
Deputy City Attorney

By: /s/ Robert A. Bonta  
ROBERT A. BONTA

Attorneys for Defendants  
SAN FRANCISCO POLICE DEPARTMENT,  
CITY AND COUNTY OF SAN FRANCISCO,  
MAYOR GAVIN NEWSOM, IN HIS OFFICIAL  
CAPACITY, AND OFFICER LARRY BERTRAND

Dated: April 8, 2011

KAMALA HARRIS  
Attorney General of California  
JOHN P. DEVINE  
Deputy Attorney General

By: /s/ John P. Devine  
John P. Devine

Attorneys for Defendants  
STATE OF CALIFORNIA, ACTING BY AND  
THROUGH THE DEPARTMENT OF ALCOHOL  
BEVERAGE CONTROL, AND MICHELLE OTT

1 Dated: April 8, 2011

2 By: /s/ Mike Quan  
3 MIKE QUAN

4 Formerly Pro Per Plaintiff  
5 As of April 7, 2011 represented by  
6 LIPTON, PIPER & SGANGA  
7 ARTHUR C. LIPTON, ESQ.<sup>1</sup>

8 Dated: April 8, 2011

9 By: /s/ Javier Magallon  
10 JAVIER MAGALLON

11 Pro Per Plaintiff

12  
13 **\*THE FILER OF THIS DOCUMENT ATTESTS THAT CONCURRENCE IN THE FILING**  
14 **OF THIS DOCUMENT HAS BEEN OBTAINED FROM THE OTHER SIGNATORIES.**  
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26 <sup>1</sup> Mr. Lipton, on behalf of Mr. Quan, agreed to June 2, 2011 as the Last Day for Plaintiffs To  
27 Participate In An Independent Psychological Examination. Mr. Quan agreed to the balance of the  
28 deadlines when he was a pro per plaintiff.

**ORDER**

Pursuant to stipulation, and for good cause appearing, IT IS ORDERED that the pre-trial deadlines be continued as follows:

Deadline for Motions to Compel: April 8, 2011

Liability Expert Disclosures: April 8, 2011

Rebuttal expert Witness Disclosures Due: April 18, 2011

Last Day for Plaintiffs To Participate In An Independent Psychological Examination: June 2, 2011

Damages Expert Disclosures: June 23, 2011

Damages Rebuttal Expert Witness Disclosures: July 5, 2011

All other dates, including the trial date, will remain the same.

DATED: April 12, 2011



Hon. Maria-Elena James  
Magistrate Judge

**PROOF OF SERVICE**

I, Catheryn M. Daly, declare as follows:

I am a citizen of the United States, over the age of eighteen years and not a party to the above-entitled action. I am employed at the City Attorney's Office of San Francisco, Fox Plaza Building, 1390 Market Street, Sixth Floor, San Francisco, CA 94102.

On April 8, 2011, I served the following document(s):

**STIPULATION AND [PROPOSED] ORDER TO CONTINUE DEADLINES FOR  
MOTIONS TO COMPEL, EXPERT DISCLOSURES, AND INDEPENDENT  
PSYCHOLOGICAL EXAMINATIONS**

on the following persons at the locations specified:

Javier Magallon  
1164 DeHaro Street  
San Francisco, CA 94107  
Telephone: 933-7898

*Plaintiffs In Pro Per*

in the manner indicated below:



**BY UNITED STATES MAIL:** Following ordinary business practices, I sealed true and correct copies of the above documents in addressed envelope(s) and placed them at my workplace for collection and mailing with the United States Postal Service. I am readily familiar with the practices of the San Francisco City Attorney's Office for collecting and processing mail. In the ordinary course of business, the sealed envelope(s) that I placed for collection would be deposited, postage prepaid, with the United States Postal Service that same day.



**BY PERSONAL SERVICE:** I sealed true and correct copies of the above documents in addressed envelope(s) and caused such envelope(s) to be delivered by hand at the above locations by a professional messenger service. **A declaration from the messenger who made the delivery** ☐ **is attached** or ☐ **will be filed separately with the court.**

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct.

Executed April 8, 2011, at San Francisco, California.

/s/ Catheryn M. Daly

Catheryn M. Daly